



Updating the Washington State Emission Performance Standard, February-July 2012.

What is the emission performance standard?

In 2007 Washington established a greenhouse gas (GHG) emission performance standard for baseload electricity generation. Utilities may not enter into long-term contracts (5 or more years in length) with a baseload generating facility, nor may utilities invest in a facility, when the GHG emissions of the facility exceed the standard. The law is codified in Revised Code of Washington (RCW) 80.80:

<http://apps.leg.wa.gov/rcw/default.aspx?cite=80.80>

What is considered baseload generation?

Baseload generation is considered to be a generating unit that operates at a capacity factor of 60 or greater percent. This means a facility that produces energy each year equaling at least 60 percent of the energy it would produce if running uninterrupted at its rated capacity for one year.

Who does the standard apply to?

The standard applies to all investor and consumer owned utilities in Washington State. The standard does *not* apply directly to generators: baseload electricity generated in Washington but delivered to utilities outside Washington is unaffected by the standard.

Are there any exceptions?

Renewable and nuclear powered electricity are exempt from the standard as are long-term commitments with the Bonneville Power Administration. Electricity from facilities in operation prior to June 30, 2008 is deemed to be in compliance with the standard until such facilities enter into new long-term contracts. Cogeneration facilities are exempt, unless they change ownership or a major upgrade is undertaken. A special exemption for transition coal power was recently added to accommodate the staged phase-out of the Centralia coal-fired power plant agreed to in 2011 by the State of Washington and TransAlta Corporation.

What is the current emission performance standard?

The original legislation established a greenhouse gas emission standard of 1100 pounds per megawatt-hour.

Will the rulemaking change the emission performance standard significantly?

The rulemaking will most likely result in a performance standard lower than 1100 pounds per megawatt-hour. The Northwest Power and Conservation Council conducted a survey of many power generation platforms for its Sixth Power Plan; the average emission rate for the CCCT included in that survey was approximately 820 pounds per megawatt-hour.



Department of Commerce

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Why is the standard being updated and who has responsibility for the update?

The law specifies that the Energy Office ("Energy Policy Division" in the RCW) of the Department of Commerce ("Department of Community Trade and Economic Development" in the RCW) is to conduct a survey of new, commercially available combined cycle combustion turbines (CCCTs) to determine the average greenhouse gas output associated for these machines and to adopt by rule five years after July 22, 2007 (and every five years thereafter) the average greenhouse gas emissions output value derived from the survey. If the average greenhouse gas emissions output is lower than current standard above, it becomes the new greenhouse gas emission performance standard for the state.

How will the survey be developed?

The Energy Office of the Department of Commerce, with assistance from other state agencies and the Utility and Transportation Commission, will develop the survey methodology. A draft version of the survey methodology will be shared with interested parties who can then present comments to the Energy Office. The Energy Office will then complete the survey process to determine the average rate of greenhouse gas emissions from new commercial available CCCTs.

What is the purpose of the rulemaking?

The rulemaking will adopt the average rate of greenhouse gas emissions from new commercially available CCCTs, as determined by the survey, into regulation. The survey therefore is essential for the rulemaking.

When will the rulemaking begin?

The rulemaking, since it takes several months to complete, will be conducted in parallel with the CCCT survey process described above. The Energy Office will be responsible for the rulemaking as well. The rulemaking includes the following planned steps:

1. March 7, 2012: Notice of initial intent to undertake rulemaking (form CR-101).
2. March-April, 2012: Commerce designs and conducts survey in collaboration with stakeholders.
3. May 2, 2012: Publication of a draft rule (form CR-102).
4. May 22, 2012: Public meeting to receive comments from interested parties on the rule.
5. June 20, 2012: After considering the comments received during the above step Commerce will finalize and publish the final rule (form CR-103).
6. July 22, 2012: The rule enters into force.
7. Energy Office is to report the final result of the rulemaking to the legislature by June 30, 2013.

Details about the rulemaking process can be found at: <http://www.ora.wa.gov/regulatory/rulemaking.asp>.

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